



121103

16138 U.S. PTO

Practitioner's Docket No. 161/006/PA
Express Mail Certificate EV 056974983 US

PATENT

Preliminary Classification:
Proposed Class:
Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE031088 U.S. PTO
10/735118

121103

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Sarah S. Bacus; Bradley L. Smith

For (title): Method for Predicting Response to HER2-Directed Therapy

1. Type of Application

This transmittal is for an original (nonprovisional) application.

2. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

34 Page(s) of Specification

14 Page(s) of Claims

B. Other Papers Enclosed

1 Page(s) of abstract

1 Page(s) of Express Mail Certificate

3. Declaration or Oath

Not Enclosed.

4. **Inventorship Statement**

The inventorship for all the claims in this application is the same.

5. **Language**

English

6. **Assignment**

An assignment of the invention to Ventana Medical Systems, Inc. and Cell Signaling Technology will follow.

7. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$770.00
Total Claims (37 CFR 1.16(c))	83	- 20 =	63 x	\$18.00	\$1,134.00
Independent Claims (37 CFR 1.16(b))	5	- 3 =	2 x	\$86.00	\$172.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$290.00	\$0.00

8. **Fee Payment Being Made at This Time**

Enclosed

Filing Fee

\$2,076.00

Total Fees Enclosed

\$2,076.00

9. Method of Payment of Fees

Charge Account No. 50-0861 in the amount of \$2,076.00.
A duplicate of this transmittal is attached.

10. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-0861.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

11. Instructions as to Overpayment

Credit Account No. 50-0861.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION CLAIMED**

12. Relate Back

Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. Section 119(e)

"This application claims the benefit of U.S. Provisional Application No.:

APPLICATION NO.

FILING DATE

60/432,942

12/11/2002

13. Maintenance of Copendency of Prior Application

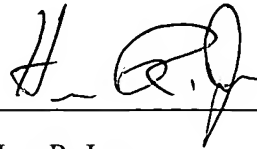
This application is filed prior to the expiration of prior application Serial No. 60/432,942.

14. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

Date:

12/11/03



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Customer No. 23874

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:)	
)	
Bacus, Sarah, S., et al)	Group No.: Not yet assigned
)	
Serial No: Not yet assigned)	
)	Examiner: Not yet assigned
Filed: herewith)	
)	
For: Method for Predicting Response to)	
HER2-Directed Therapy)	

EXPRESS MAIL CERTIFICATE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
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"Express Mail" label number EV 056974983 US
Date of Deposit 12/11/2003

I hereby state that the following *attached* paper or fee

1. New Application Transmittal, in duplicate - 4 pages each
Specification - 34 pages
Claims - 14 pages
Abstract - 1 page
2. Post Card

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Carolyn Thornburg


Signature of person mailing paper or fee